

Assembly Bill No. 1145

CHAPTER 5

An act to add Chapter 5.4 (commencing with Section 8455) to Division 1 of Title 2 of the Government Code, relating to public safety, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor January 21, 2004. Filed with Secretary of State January 21, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1145, Shirley Horton. State buildings: defibrillators.

Existing law authorizes the Emergency Medical Services Authority to establish minimum standards for the training and use of automatic external defibrillators.

Existing law requires all moneys received by the state from the federal government, the expenditure of which is administered through or under the direction of a state agency, to be deposited in the Federal Trust Fund, which is continuously appropriated for expenditure for the purposes for which the moneys are deposited in that fund.

This bill would require the Department of General Services to apply for specified federal funds for the purchase of automated external defibrillators to be located within state-owned and leased buildings. It would require, subject to receipt of federal funds for this purpose, the Department of General Services, in consultation with the Emergency Medical Services Authority, the American Red Cross, and the American Heart Association to develop and adopt policies and procedures, consistent with specified state regulations, relative to the placement and use of automated external defibrillators in state-owned and leased buildings and ensure that training is consistent with specified requirements.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) According to the American Heart Association an individual goes into cardiac arrest in the United States every two minutes. And of these, an estimated 225,000 Americans die each year. In California, 42 percent of all deaths are attributed to heart disease. Many of these deaths are caused by sudden cardiac arrest. Most cardiac arrests are caused by



ventricular fibrillation, for which cardiopulmonary resuscitation (CPR) and defibrillation are the only effective treatments. With every minute that passes, a victim's survival rate is reduced by 7 to 10 percent if no intervention measures are taken. An estimated 95 percent of cardiac arrest victims die before reaching the hospital. If intervention measures are taken, survival rates are much higher; when CPR and defibrillation are immediately performed, survival rates can double.

(b) Eighty percent of all cardiac arrests occur in the home, and almost 60 percent are witnessed. In communities that have established and implemented public access defibrillation programs have achieved average survival rates for out-of-hospital cardiac arrest as high as 48 to 74 percent.

(c) Wide use of defibrillators could save as many as 40,000 lives nationally each year. Successful public access defibrillation programs ensure that cardiac arrest victims have access to early 911 notification, early cardiopulmonary resuscitation, early defibrillation, and early advanced care.

SEC. 2. Chapter 5.4 (commencing with Section 8455) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 5.4. AUTOMATED EXTERNAL DEFIBRILLATORS IN STATE
BUILDINGS

8455. (a) The Department of General Services shall apply for federal funds made available through the federal Community Access to Emergency Devices Act (Public Law 107-188) for the purchase of automated external defibrillators to be located within state-owned and leased buildings.

(b) Subject to the receipt of federal funds for this purpose, the Department of General Services shall, in consultation with the Emergency Medical Services Authority, the American Red Cross, and the American Heart Association, develop and adopt policies and procedures relative to the placement and use of automated external defibrillators in state-owned and leased buildings and ensure that training is consistent with Section 1797.196 of the Health and Safety Code and the regulations adopted pursuant to that section. In these consultations, the department may consider all of the following:

(1) Whether the public has access to the state-owned or leased building.

(2) Placement within the building that maximizes access to the device.

(3) The manufacturer's and the medical community's directions regarding placement and use of the device.



(4) The appropriate oversight and maintenance of the device at a particular location.

(5) Whether to require those who are trained to use the automated external defibrillators pursuant to Emergency Medical Services Authority standards to receive cardiopulmonary resuscitation training.

(c) The policies and procedures adopted pursuant to this section shall be consistent with Section 3400 of Title 8 of the California Code of Regulations.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide immediate assistance to persons in state-owned or state-leased buildings who might otherwise die or suffer severe injury from cardiac arrest, at the earliest possible time, it is necessary that this act take effect immediately.

